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Testimony of Barry C. Hawkins  
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In SUPPORT of

Proposed HB 6111, AAC the UNIFORM MILITARY AND OVERSEAS VOTERS ACT

Government Administration and Elections Committee

Senator Musto, Representative Jutila, and members of the Government Administration and Elections Committee:

My name is Barry C. Hawkins. I am a resident of Bridgeport, Connecticut and practice law as a partner in the Stamford office of Shipman & Goodwin. I am the President of the Connecticut Bar Association and a Uniform Law Commissioner for the State of Connecticut. I submit this testimony on behalf of the Veterans and Military Affairs Committee of the Connecticut Bar Association and on behalf of the Uniform Law Commission of which I am a Division Chair. Both of these organizations support passage of House Bill 6111, the Uniform Military and Overseas Voters Act. I served as a captain in the United States Army in 1969-1970 and was a voting officer for the Northern Support Command, Special Troops, in DaNang, Vietnam in 1969-1970. I also had the honor of serving as a member of the national drafting committee which prepared UMOVA from 2008-2010.

Military personnel and other overseas civilians face a variety of challenges to their participation as voters in U.S. elections despite repeated congressional and state efforts to facilitate their ability to vote. Difficulties in registering while abroad, frequent address changes, slow mail delivery, ballots and ballot applications that never arrive, frustration while trying to obtaining information about candidates or issues, the inability to comply with notarization or verification procedures, or the voter's failure to properly comply with non-essential requirements for absentee materials contribute to this significant problem.

Federal legislation has offered some—but not complete—solutions. The federal Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA) and Military and Overseas Voter Empowerment Act of 2009 (MOVE) have made improvements, but have not been wholly effective in overcoming these difficulties. One major consideration is that these federal laws do not encompass state and local elections.

The procedures by which states conduct state and local elections American elections vary dramatically by jurisdiction. The resulting lack of uniformity and consistency among jurisdictions further complicates efforts to fully enfranchise military and overseas voters and can present a major impediment to their ability to vote.

The Uniform Law Commission, (also known as the National Conference of Commissioners on Uniform State Laws), promulgated the Uniform Military and Overseas Voters Act (UMOVA) in 2010 to address these issues, calling upon the expertise of a wide array of interested parties and observers. UMOVA extends the assistance and protections for military and overseas voters currently found in federal law to state and local elections. It seeks greater harmony for the military and overseas voting process for all covered elections. It adds National Guard members to the military voters covered under the federal laws. It ensures that states will continue to have primary administrative responsibility over elections.

UMOVA simplifies and expands the class of covered voters and covered elections. It establishes reasonable, standard timetables for application, registration, and provision of ballots and election information for covered voters. It requires ballots to be counted when nonessential requirements are not complied with, and it obviates notarization requirements where the proper declaration is made under penalty of perjury.

The Uniform Law Commission is joined by others who support UMOVA. The National Conference of the Council of State Governments (CSG) adopted a resolution in December 2010 urging all states to adopt UMOVA. Similar resolutions in favor of UMOVA had previously been adopted by the CSG Southern Legislative Conference, with 15 member states, as well as the CSG West, with 13 member states. The National CSG also approved UMOVA as "Suggested State Legislation," a compilation of legislation on topics of current interest and importance to the states. I attach a copy of the Resolution by the Council of State Governments supporting this proposed legislation. The American Bar Association's Standing Committee on Election Law and Standing Committee on Armed Forces Law also support UMOVA nationally.

The following jurisdictions have enacted UMOVA: California, Colorado, District of Columbia, Hawaii, North Carolina, North Dakota, Oklahoma, Pennsylvania, Utah, and Virginia. In addition to House Bill 6111, UMOVA has been introduced in 2013 in Missouri.

More information on UMOVA can be found at:  
<http://uniformlaws.org/Act.aspx?title=Military%20and%20Overseas%20Voters%20Act>

Thank you very much for considering this written testimony in support of House Bill 6111.